

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Brian J. Grubbs
Kelly A. Grubbs
Debtor(s)

Bankruptcy Case No.: 19-22570-CMB
Per 1/9/2020 proceeding
Chapter: 13
Docket No.: 35 – 16, 26
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 7/17/2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1401.00 as of 1/20. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PNC (CI #11) Pheple FCU (CI #3), payments determined by Trustee .
- ☒ H. Additional Terms: Fee Application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel. The secured claim(s) of the following creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Cambria Thrift (CI #10)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 14, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Brian J. Grubbs
 Kelly A. Grubbs
 Debtors

Case No. 19-22570-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 149

Page 1 of 3
 Total Noticed: 58

Date Rcvd: Jan 14, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 16, 2020.

db/jdb
 cr +Brian J. Grubbs, Kelly A. Grubbs, 464 Lemmon Road, Latrobe, PA 15650-5460
 +PHEPLE FEDERAL CREDIT UNION f/k/a WESTMORELAND COM, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURG, PA 15601-3734
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
 15077875 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
 15077876 +Altius Diagnostics Laboratory, 12100 Northup Way, Suite 110, Bellevue, WA 98005-1913
 15077882 CBCS, PO Box 2724, Columbus, OH 43216-2724
 15089167 +Cambria Thrift Consumer Discount Co., 112 Market Street, Johnstown, PA 15901-1609
 15077877 +Cambria Thrift Consumer Discount Co., 2 E Market Street, PO Box 122, Blairsville, PA 15717-0122
 15077883 +Cordant Health Solutions, 12015 E 46th Avenue #250, Denver, CO 80239-3107
 15077889 Dentalworks, PO Box 64-3005, Cincinnati, OH 45264-3005
 15077892 +Fenner Physician Building, 3 Penn Center West, Pittsburgh, PA 15276-0103
 15077893 +GU, Inc., 3 Penn Center West, Suite 127, Pittsburgh, PA 15276-0112
 15098662 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 15089184 +Hayt, Hayt & Landau, LLC, 2 Industrial Way West, PO Box 500, Eatontown, NJ 07724-0500
 15077895 #+Hayt, Hayt & Landau, LLC, 123 Broad Street, Suite 1660, Philadelphia, PA 19109-1003
 15077900 +Jonathan P. Krizner, 3940 State Route 981, Mount Pleasant, PA 15666-3716
 15089185 +KML Law Group, P.C., Suite 5000 - BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1538
 15077896 +Latrobe Hospital, One Mellon Way, Latrobe, PA 15650-1197
 15077898 Mercury, PO Box 84064, Columbus, GA 31908-4064
 15077899 +Mercury Card/ FB&T, 1415 Warm Springs Road, Columbus, GA 31904-8366
 15089190 Norvelt Dental Center, 3940 State Route 981, Mount Pleasant, PA 15666-3716
 15089194 #+PHEPLE Credit Union, 1007 Georges Station Road, Greensburg, PA 15601-6982
 15098433 +PHEPLE FEDERAL CREDIT UNION, 2900 SEMINARY DRIVE, BUILDING G, GREENSBURG PA 15601-3734
 (address filed with court: Pheple Federal Credit Union, f/k/a Westmoreland Community FCU, 2900 Seminary Drive, Building G, Greensburg, PA 15650)
 15077904 +PNC, P.O. Box 15026, Wilmington, DE 19850-5026
 15117917 +PNC Bank, National Association, Attn: Bankruptcy, P.O. Box 94982, Cleveland, OH 44101-4982
 15077902 Pediatrics Associates of Westmoreland, 555 West Newton St, Greensburg, PA 15601-2861
 15107244 +Peoples Natural Gas Company LLC, c/o S. James Wallace, PC, 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
 15077903 Perfect Smile Dental Group, 29 North Main Street, Greensburg, PA 15601-2401
 15077905 Premier Medical Laboratory Services, PO Box 27102, Greenville, SC 29616-2102
 15077906 +Quest Diagnostics, PO Box 740717, Cincinnati, OH 45274-0717
 15077907 +Radiologic Consultants, 717 E. Pittsburgh Street, Greensburg, PA 15601-2636
 15077908 #+SRA Associates, Inc., 401 Minnetonka Road, Somerdale, NJ 08083-2914
 15077909 SS Grover MD and Associates, 2640 Pitcairn Road, Monroeville, PA 15146-3309
 15077910 +Synergetic Communication, Inc., 5450 N.W. Central #220, Houston, TX 77092-2061
 15107061 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15077911 US Department of Education, PO Box 790336, Saint Louis, MO 63179-0336
 15077912 US Dept of Education, 3130 Fairview Park Drive Suite 800, Falls Church, VA 22323
 15089203 +Unity Township Tax Collector, 152 Beatty County Road, Latrobe, PA 15650-5464
 15077913 +Westmoreland Hospital, 532 W. Pittsburgh Street, Greensburg, PA 15601-2282

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 15 2020 03:17:13
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15077878 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:06:10 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281
 15077880 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:04:44 Capital One,
 P.O. Box 71083, Charlotte, NC 28272-1083
 15077881 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:06:10 Capital One Bank,
 PO Box 30281, Salt Lake City, UT 84130-0281
 15085307 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 15 2020 03:05:27
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15077884 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jan 15 2020 03:08:43 Credit Collection,
 PO Box 607, Norwood, MA 02062-0607
 15077885 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jan 15 2020 03:08:43
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
 15077886 +E-mail/Text: ccusa@ccuhome.com Jan 15 2020 03:07:07 Credit Collections USA,
 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209
 15077887 +E-mail/PDF: creditonebknofications@resurgent.com Jan 15 2020 03:04:46 Credit One Bank,
 P.O. Box 98872, Las Vegas, NV 89193-8872
 15077888 +E-mail/PDF: creditonebknofications@resurgent.com Jan 15 2020 03:04:48 Credit One Bank,
 PO Box 60500, City of Industry, CA 91716-0500
 15077891 +E-mail/Text: bknotice@ercbpo.com Jan 15 2020 03:08:04 ERC, PO Box 23870,
 Jacksonville, FL 32241-3870

District/off: 0315-2

User: dsaw
Form ID: 149

Page 2 of 3
Total Noticed: 58

Date Rcvd: Jan 14, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15077890 +E-mail/Text: bknotice@ercbpo.com Jan 15 2020 03:08:04 Enhanced Recovery Corporation,
PO Box 57547, Jacksonville, FL 32241-7547
15077894 +E-mail/Text: bankruptcy.notices@hdfsi.com Jan 15 2020 03:08:29 Harley Davidson Credit,
3850 Arrowhead Dr, Carson City, NV 89706-2016
15077897 +E-mail/PDF: resurgentbknotifications@resurgent.com Jan 15 2020 03:04:55 LVNV Funding,
P.O. Box 10497, Greenville, SC 29603-0497
15160075 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 15 2020 03:04:55 LVNV Funding LLC,
PO Box 10587, Greenville, SC 29603-0587
15109295 E-mail/PDF: resurgentbknotifications@resurgent.com Jan 15 2020 03:05:37 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15077901 E-mail/PDF: gecsedirecoverycorp.com Jan 15 2020 03:04:41 Paypal Credit, PO Box 71202,
Charlotte, NC 28272-1202
15079203 +E-mail/PDF: gecsedirecoverycorp.com Jan 15 2020 03:05:23 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15117946 +E-mail/PDF: gecsedirecoverycorp.com Jan 15 2020 03:04:40 Synchrony Bank,
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION
cr* +LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
15089165* +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
15089166* +Altius Diagnostics Laboratory, 12100 Northrup Way, Suite 110, Bellevue, WA 98005-1913
15089171* CBCS, PO Box 2724, Columbus, OH 43216-2724
15077879* Capital One, P.O. Box 30281, Salt Lake City, UT 84130-0281
15089168* Capital One, P.O. Box 30281, Salt Lake City, UT 84130-0281
15089169* Capital One, P.O. Box 71083, Charlotte, NC 28272-1083
15089170* +Capital One Bank, PO Box 30281, Salt Lake City, UT 84130-0281
15089172* +Cordant Health Solutions, 12015 E 46th Avenue #250, Denver, CO 80239-3107
15089173* +Credit Collection, PO Box 607, Norwood, MA 02062-0607
15089174* +Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
15089175* +Credit Collections USA, 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209
15089176* +Credit One Bank, P.O. Box 98872, Las Vegas, NV 89193-8872
15089177* +Credit One Bank, PO Box 60500, City of Industry, CA 91716-0500
15089178* Dentalworks, PO Box 64-3005, Cincinnati, OH 45264-3005
15089180* +ERC, PO Box 23870, Jacksonville, FL 32241-3870
15089179* +Enhanced Recovery Corporation, PO Box 57547, Jacksonville, FL 32241-7547
15089181* +Fenner Physician Building, 3 Penn Center West, Pittsburgh, PA 15276-0103
15089182* +GU, Inc., 3 Penn Center West, Suite 127, Pittsburgh, PA 15276-0112
15089183* +Harley Davidson Credit, 3850 Arrowhead Dr, Carson City, NV 89706-2016
15089187* +LVNV Funding, P.O. Box 10497, Greenville, SC 29603-0497
15089186* +Latrobe Hospital, One Mellon Way, Latrobe, PA 15650-1197
15089188* Mercury, PO Box 84064, Columbus, GA 31908-4064
15089189* +Mercury Card/ FB&T, 1415 Warm Springs Road, Columbus, GA 31904-8366
15089195* +PNC, P.O. Box 15026, Wilmington, DE 19850-5026
15089191* Paypal Credit, PO Box 71202, Charlotte, NC 28272-1202
15089192* Pediatrics Associates of Westmoreland, 555 West Newton St, Greensburg, PA 15601-2861
15089193* Perfect Smile Dental Group, 29 North Main Street, Greensburg, PA 15601-2401
15089196* Premier Medical Laboratory Services, PO Box 27102, Greenville, SC 29616-2102
15089197* +Quest Diagnostics, PO Box 740717, Cincinnati, OH 45274-0717
15089198* +Radiologic Consultants, 717 E. Pittsburgh Street, Greensburg, PA 15601-2636
15089200* +SRA Associates, Inc., 401 Minnetonka Road, Somerdale, NJ 08083-2914
15089201* SS Grover MD and Associates, 2640 Pitcairn Road, Monroeville, PA 15146-3309
15089202* +Synergetic Communication, Inc., 5450 N.W. Central #220, Houston, TX 77092-2061
15089204* US Department of Education, PO Box 790336, Saint Louis, MO 63179-0336
15089205* US Dept of Education, 3130 Fairview Park Drive Suite 800, Falls Church, VA 22323
15089206* +Westmoreland Hospital, 532 W. Pittsburgh Street, Greensburg, PA 15601-2282
15089199 ##+Ratchford Law Group, P.C., 409 Lackawanna Ave., STE 320, Scranton, PA 18503-2059
TOTALS: 1, * 37, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-2

User: dsaw
Form ID: 149

Page 3 of 3
Total Noticed: 58

Date Rcvd: Jan 14, 2020

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 16, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 14, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Joseph Paul Covelli on behalf of Creditor PHEPLE FEDERAL CREDIT UNION f/k/a WESTMORELAND
COMMUNITY FEDERAL CREDIT UNION covellilawoffices@yahoo.com
Matthew M. Herron on behalf of Debtor Brian J. Grubbs mmh@thedebedtctors.com,
hgs@thedebedtctors.com;alb@thedebedtctors.com
Matthew M. Herron on behalf of Joint Debtor Kelly A. Grubbs mmh@thedebedtctors.com,
hgs@thedebedtctors.com;alb@thedebedtctors.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7